

REMARKS

Claims 1, 6 and 12 have been amended. Claims 13-16 have been added. Claims 1-16 remain for further consideration. No new matter has been added.

The objection and rejections shall be taken up in the order presented in the Official Action.

1-2. Claims 1-11 currently stand rejected under 35 U.S.C. §112, second paragraph for allegedly failing to particularly point out and distinctly claim the subject matter deemed to be the present invention.

Claim 1 has been amended.

3-4. Claim 1 currently stands rejected under 35 U.S.C. §103(a) for allegedly being obvious in view of the combined subject matter disclosed in U.S. Patent 5,045,948 to Streck et al (hereinafter “Streck”) and U.S. Patent 5,056,153 to Taniguchi et al (hereinafter “Taniguchi”).

This rejection is improper for several reasons. We shall first discuss the claimed invention, the cited prior art, and then the differences between the claimed invention and the cited prior art.

CLAIMED INVENTION

Claim 1 of the present invention recites a mobile receiving device, which includes “*at least two channel selection devices for converting the video/audio high-frequency signals into intermediate frequency signals*”. (cl. 1, emphasis added). The mobile receiving device of claim 1 is directed to mobile television receivers for use in a motor vehicle.

CITED PRIOR ART

Streck

Streck simply discloses a system that wirelessly distributes a relatively low power television signal locally, for example in a house (see col. 3, lines 16-21). As shown in FIGs. 7-9, Streck simply discloses up converting a signal to an unused frequency, RF transmitting the up converted signal, receiving and down converting the received up converted signal, and then performing conventional television signal processing on the down converted signal. The system disclosed in Streck neither discloses nor suggests a mobile receiving device.

In addition, the system disclosed in Streck has two separate and distinct receiving paths, components of which can not be controllably switched between paths. Specifically, referring to FIG. 15 of Streck, the first receiving path disclosed therein receives a normal TV signal input that is input to a conventional UHF tuner 132 and a conventional VHF tuner 134. The resultant signals from the UHF and VHF tuners are then input to a AM Demodulator 82 that provides signals to the video and audio drivers 102, 104, respectively. This is described by Streck at col. 9, lines 21-27. The second receiving path disclosed in Streck includes the selectable tuner 130 (i.e., an “A” or “B” channel switch) that selectively passes a signal centered at either 909 MHz or 921 MHz . The output of the selectable tuner 130 is connected to FM demodulator 90, which produces video and audio signals that are connected to the video and audio drivers 102, 104, respectively. So Streck clearly discloses the use of two separate and distinct signal processing paths – the first to receive conventional UHF and VHF signals, and the second to receive the wireless FM transmission.

Taniguchi

Taniguchi discloses a mobile electric accessory apparatus. The apparatus includes a wireless television receiver having a plurality of receiving antennae. As shown in FIG. 4 of Taniguchi, the

various received signals are input to a changeover circuit 35, that provides a single selected signal to a video amplifier 37 for subsequent processing. Noticeably, the system disclosed in Taniguchi provides only a single processing path downstream of the changeover circuit 35. That is, Taniguchi simply teaches multiplexing.

DIFFERENCES BETWEEN CLAIMED INVENTION & COMBINED REFERENCES

1. STRECK IS NOT A MOBILE SYSTEM

Claim 1 recites a **mobile** receiving device. If Streck is modified as alleged in the Official Action, the resultant apparatus is not a mobile receiving device. Streck neither discloses nor suggests a mobile receiving device. The Official Action merely relies upon Taniguchi for its alleged teaching of “...a selectable tuner attached to a switch 131 which selects between the A channel, remote control transmitter, and a function control circuit which controls the over all function of the system.” (Official Action, pg. 3). Therefore, it is respectfully submitted that a prima facie case of obviousness has not been established since the Official Action fails to consider the feature that the claimed invention is directed to a **mobile** receiving device. The claim as a whole must be considered when assessing patentability, and in the present case the language in the preamble of a “*mobile receiving device*” clearly breathes life and meaning into the claim.

2. STRECK DISCLOSES ONLY STATIC/NON-CONFIGURABLE SIGNAL PATHES

As set forth above in the discussion regarding Streck, Streck merely discloses the use of two separate and distinct signal processing paths – the first path receives conventional UHF and VHF signals, and the second path receives the wireless FM transmission. Components in these two paths

other than the video and audio drivers 102, 104 can not be switchably configured to operate in either signal processing path.

The Official Action contends that the claimed channel selection devices read on tuners 134/132 and the selectable tuner 130. See Official Action, pg. 3. The Official Action further contends that claimed at least two video demodulators reads on the AM demodulator 82 and FM demodulator 90. See Official Action, pg. 3. The Official Action also contends that the claimed at least two audio demodulators is also met by the AM demodulator and the FM demodulator 90. It is recognized that Streck fails to disclose switching as claimed, but it is concluded “...it is well known in the art to utilize a selector or switch to selectively connect the demodulators to the receiver circuit.” (Official Action, pg. 3). The Official Action ultimately concludes that “it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Streck et al by providing the changeover circuits or switches of Taniguchi et al., in order for the user or viewer to select the desired input signal from the receivers, by instructing the control circuit with a remote control.” (Official Action, pg. 4). However, it is respectfully submitted that this rationale is wholly flawed.

One reason the rejection is flawed is because if Streck was modified as suggested in the Official Action, then FM modulated signals would be sent to the AM demodulator, and AM modulated signals would be sent to the FM demodulator. This of course would result in a system that does not operate for its intended purpose, and is even inoperable. Therefore, the combination of Streck and Taniguchi is clearly improper.

In addition, even if the changeover circuit 35 of Taniguchi was incorporated into Streck as suggested in the Official Action, the resultant system is still not the claimed invention. Again, as shown in FIG. 4 of Taniguchi, there is only a single demodulator 40 downstream of the changeover

circuit 35. Similarly, downstream of changeover circuit 63 is a single demodulator 64. Each changeover circuit 35/60 only provides a single output to its dedicated demodulator 40/64, respectively. Therefore the changeover circuit 35/63 is incapable of selectively connecting “...*said at least one of said audio demodulation devices or at least one of said video demodulation devices to a selected one of said channel selection devices in response to a control signal.*” (emphasis added, cl. 1).

5. Claim 2 currently stands rejected for allegedly being obvious in view of the combined subject matter disclosed in Streck and U.S. Patent 5,313,660 to Lindenmeier et al (hereinafter “Lindenmeier”).

It is respectfully submitted that this rejection is now moot, since claim 1 patentable for at least the reasons set forth above.

6. Claims 3-6 currently stand rejected for allegedly being obvious in view of the combined subject matter disclosed in Streck, Lindenmeier and U.S. Patent 6,141,536 to Cvetkovic et al (hereinafter “Cvetkovic”).

It is respectfully submitted that the rejection of claims 3-6 is now moot, since these dependent claims depend indirectly from claim 1, which is patentable for at least the reasons set forth above.

7. Claims 7, 8 and 12 currently stand rejected for allegedly being obvious in view of the combined subject matter disclosed in Streck, Lindenmeier, Cvetkovic and U.S. Patent 5,325,403 to Siwiak et al (hereinafter “Siwiak”).

It is respectfully submitted that the rejection of claims 7 and 8 is not moot, since these dependent claims depend indirectly from claim 1, which is patentable for at least the reasons set forth above.

Claim 12 recites a television receiving device for use in a motor vehicle. The television receiving device includes:

“a switching device that receives said intermediate frequency signals and routes each of said intermediate frequency signals to an associated one of said video demodulation devices and an associated one of said audio demodulation devices.”
(emphasis added, cl. 12).

As set forth above with respect to claim 1, Streck merely discloses the use of two separate and distinct signal processing paths – the first path receives conventional UHF and VHF signals, and the second path receives the wireless FM transmission. Components in these two paths other than the video and audio drivers 102, 104 can not be switchably configured to operate in either signal processing path. The Official Action contends that it would have been obvious to modify Streck to provide the claimed invention. However, the rejection is flawed is because if Streck was modified as suggested in the Official Action, then FM modulated signals would be sent to the AM demodulator, and AM modulated signals would be sent to the FM demodulator. This of course would result in a system that does not operate for its intended purpose, and is even inoperable.

In addition, even if the changeover circuit of Taniguchi was incorporated into Streck as suggested in the Official Action, the resultant system is still not the claimed invention. Again, as shown in FIG. 4 of Taniguchi, there is only a single demodulator downstream of each changeover circuit 35/63. Each changeover circuit only provides a single output, therefore the changeover circuit is incapable acting as *“a switching device that receives said intermediate frequency signals and routes each of said intermediate frequency signals to an associated one of said video demodulation*

devices **and** an associated one of said audio demodulation devices.” (emphasis added, cl. 12). The demodulator 64 downstream of the changeover circuit 63 as shown in FIG. 4 of Taniguchi is simply an audio demodulator. As recited in claim 12, signals are provide to a video demodulation device AND a audio demodulation device. Accordingly, it is respectfully submitted that claim 12 is patentable over this combination of cited art.

8. The new rejections are noted and addressed above.

9. The indication that claims 9-11 would be allowable if rewritten to no longer depend from a rejected base claim is noted and appreciated. However, these claims are not being rewritten since independent claim 1 is patentable for at least the reasons set forth above.

For all the foregoing reasons, reconsideration and allowance of claims 1-16 is respectfully requested.

If a telephone interview could assist in the prosecution of this application, please call the undersigned attorney.

Respectfully submitted,



Patrick J. O'Shea
Registration No. 35,305
Gauthier & Connors LLP
225 Franklin Street, Suite 3300
Boston, Massachusetts 02110
Telephone: (617) 426-9180 x121